

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
MIAMI-DADE DIVISION**

CASE NO. 07-60399-CIV-ALTONAGA/TURNOFF

SPIRIT AIRLINES, INC.,

Plaintiff,

vs.

24/7 REAL MEDIA, INC., ADVERTISING. COM, INC.  
AMERICA ONLIN, INC., d/b/a AOL, BURST MEDIA  
CORPORATION, CARROLTON BANK,  
CHEAPFLIGHTS (USA), INC.,  
ECHO TARGET, INC., HOTWIRE, INC., INTERCEPT  
INTERACTIVE, INC., PRICELINE.COM, LLC,  
RACKSPACE, LTD., SHERMANS TRAVEL, INC.,  
SIDESTEP, INC, SMARTER LIVING, INC., et. al.,

Defendants.

**DEFENDANT VALUE CLICK INC.'S UNOPPOSED MOTION FOR  
A 10-DAY EXTENSION OF TIME TO FILE A RESPONSE  
TO THE COMPLAINT FOR INTERPLEADER**

Pursuant to the Federal Rules of Civil Procedure and applicable Local Rules, Defendant VALUECLICK, INC., ("ValueClick"), hereby respectfully moves this Court to grant a ten day extension of time to respond to the Complaint For Interpleader filed herein, for the following reasons:

1. On March 21, 2007, Plaintiff SPIRIT AIRLINES, ("Spirit") filed the above-stated Complaint For Interpleader, which was served on Defendant Value Click's agent on April 9, 2007. Thus, ValueClick's response to this Complaint is due on April 30, 2007. *See* Fed. R. Civ. P. 12 (a)(1)(A ).

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2. Undersigned counsel was retained by Defendant ValueClick on this matter on April 25, 2007 and received the Complaint yesterday, on April 26, 2007, and the response is due in two days since the other two days fall on the weekend.

3. Based upon all the foregoing, Defendant requests an extension of time until May 10, 2007 to respond to the Complaint for Interpleader to ensure a proper response by ValueClick to the issues raised in the Complaint.

4. Defendant's counsel has conferred with Plaintiff's counsel and counsel has graciously agreed to this extension of time.

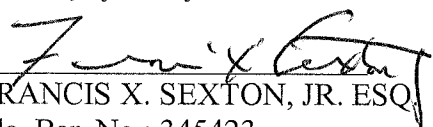
5. Defendant respectfully requests that this Court enter an order granting an enlargement of time up to and including May 10, 2007, for Defendant ValueClick to respond to the Complaint for Interpleader.

6. This extension of time is not prejudicial to the parties and the undersigned counsel certifies to the Court that this motion is made in good faith and not for the purpose of undue delay.

Respectfully submitted,

CONCEPCION SEXTON & MARTINEZ  
355 Alhambra Circle, Suite 1250  
Coral Gables, Florida 33134  
Tel: (305) 444-6669  
Fax: (305) 444-3665  
*Attorneys for Defendant*

By: \_\_\_\_\_

  
FRANCIS X. SEXTON, JR. ESQ.  
Fla. Bar. No.: 345423  
[fsexton@cfclaw.com](mailto:fsexton@cfclaw.com)

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via U.S. Mail and facsimile on this 17<sup>th</sup> day of April 2007 to Anthony J. Carriuolo, Esq., BERGER SINGERMANN, 350 East Las Olas Blvd., Suite 1000, Ft. Lauderdale, Florida 33301.

By: \_\_\_\_\_

FRANCIS X. SEXTON, JR. ESQ.

Fla. Bar. No.: 345423

[fsexton@cfclaw.com](mailto:fsexton@cfclaw.com)

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1A**

I HEREBY CERTIFY pursuant to Local Rule 7.1A that on this date Mrs. Sen of our office conferred with Anthony Carriuolo, counsel for Plaintiff, Spirit Airlines, Inc. in a good faith effort to resolve the issues raised in Motion for Extension of Time to File a Response to Complaint for Interpleader and counsel agreed to the relief requested, an extension of time.

By: \_\_\_\_\_

FRANCIS X. SEXTON, JR. ESQ.

Fla. Bar. No.: 345423

[fsexton@cfclaw.com](mailto:fsexton@cfclaw.com)

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Defendants.

\_\_\_\_\_ /

**ORDER GRANTING DEFENDANT, VALUECLICK, INC.'S UNOPPOSED  
MOTION FOR EXTENSION OF TIME TO FILE A RESPONSE TO THE  
COMPLAINT FOR INTERPLEADER**

THIS CAUSE came before the Court upon the Defendant, ValueClick, Inc.'s Unopposed Motion for Extension of Time to File a Response to the Complaint for Interpleader and the Court, having reviewed the Motion and having noted the agreement of the Plaintiff to the Defendant's Motion, it is accordingly,

**ORDERED AND ADJUDGED** that the Defendant's Motion is hereby **GRANTED**. Defendant, ValueClick, Inc. shall have up through and including May 10, 2007 in which to file a response to the Complaint for Interpleader.

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**DONE AND ORDERED** in Chambers in Miami, Florida, this \_\_\_\_\_ day of  
May, 2007.

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CECILIA M. ALTONAGA  
U.S. DISTRICT COURT JUDGE

cc: Francis X. Sexton, Jr. Esq.  
[fsexton@cfclaw.com](mailto:fsexton@cfclaw.com)  
Anthony Carriuolo, Esq.

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